



**STATE OF CALIFORNIA, COUNTY OF SIERRA
BOARD OF SUPERVISORS
MINUTES
REGULAR MEETING**

Lee Adams, Vice-Chair, District 1

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Peter W. Huebner, District 2

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Paul Roen, District 3

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Jim Beard, Chair, District 4

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on August 4, 2015 in the Board of Supervisors' Chambers, Courthouse, Downieville, CA. This meeting was recorded for posting on the Board of Supervisors' webpage at www.sierracounty.ca.gov.

PLEDGE OF ALLEGIANCE: Led by Supervisor Roen

ROLL CALL

Present: Lee Adams, Supervisor, Vice-Chair, District #1
 Peter W. Huebner, Supervisor, District #2
 Paul Roen, Supervisor, District #3
 Jim Beard, Supervisor, Chair, District #4
 Scott A. Schlefstein, Supervisor, District #5

Staff: Heather Foster, County Clerk-Recorder
 Jim Curtis, County Counsel
 Rhetta Vander Ploeg, Assistant County Counsel
 Tim Beals, Director of Planning and Transportation
 Darden Bynum, Director of Health and Human Services
 Laura Marshall, Assessor/IS Manager
 Jeff Bosworth, Chief Probation Officer

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APPROVAL OF CONSENT ITEMS

The Board moved to approve the Consent Agenda.

APPROVED. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

12. CONSENT AGENDA

12.A. Lease agreement between Richard and Sharon Elorza and the County of Sierra. (PUBLIC HEALTH)

APPROVED, Agreement 2015-083

12.B. Agreement between CalRecycle and Sierra County for the Local Enforcement Agency Grant Program. (PUBLIC HEALTH)

APPROVED, Agreement 2015-084

12.C. Resolution approving Program Supplement Agreement No. N92 to Administering Agency-State Agreement for State Funded Projects No. 00003S, roadway rehabilitation project on Smithneck Creek Road from SR-49 to Antelope Valley Road and authorizing execution of agreement. (PUBLIC WORKS)

ADOPTED, Resolution 2015-081

APPROVED, Agreement 2015-085

12.D. Minutes from the regular meeting held on June 16, 2015. (CLERK-RECORDER)

REGULAR AGENDA

The Board moved to approve the Regular Agenda.

APPROVED. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

2. PUBLIC COMMENT OPPORTUNITY

At 9:01 a.m. Chair Beard opened the public comment opportunity.

Ms. Cherry Simi, Downieville Improvement Group (DIG) member, reported on the Downieville Mountain Brewfest which was sponsored by the Downieville Fire Protection District and DIG and raised \$21,000.

Ms. Ingrid Larson, DIG member, also reported on the success of the event and that DGI hopes to become a nonprofit this year.

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Supervisor Adams noted there have been many events that have come and gone and he hasn't seen an event in Downieville like this. It was a great event and the amount of funding that is going back into the community is huge.

Mr. Mike Galan, DIG member, recognized Ms. Simi as a great leader for the DIG and this event. Mr. Galan added that all proceeds from the event are going to the Downieville community.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Huebner reported on the City of Reno's meeting held July 29th in regards to the project in Verdi, noting the meeting was well attended and the project was defeated.

Chair Beard reported he met with the Veteran's Service Officer (VSO) and there are 322 veterans in Sierra County and since the County authorized VSO services in Loyalton, they have processed 14 claims. Chair Beard added that the VSO is in Loyalton at the Health Department building every Thursday.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Chief Probation Officer reported on the Community Corrections Partnership (CCP) meeting held July 13th, noting the CCP passed a budget but it has been amended slightly with the change in the jail situation and there will be an amended plan submitted in the future. The Chief Probation Officer added that he is intending to submit the CCP's budget at the September 1st Board meeting prior to the submission of the amended CCP plan. With regards to Sheriff's office, instead of spending CCP funding on the exercise yard, the CCP decided to purchase patrol cars and instead of funding one deputy and one correctional officer, the CCP is going to fund three deputies. The Chief Probation Officer also indicated the CCP found some funding for the phone system.

The Auditor reported that the original date on a previously approved sealed bid sale on property located in Sierra Brooks has been changed to September 28th.

The Clerk reported the County has received the signed settlement agreement from the City of Loyalton, the Carroll's and Intermountain Disposal regarding the County's recovery of the cost of handling and testing the debris from the Loyalton Hotel fire and the agreement is now public.

The Sheriff briefly reported on the Downieville Classic bike race, the Sierra Valley Lodge and a search and rescue effort.

At the request of Chair Beard, a moment of silence was held in memory of fallen US Forest Service Firefighter David Ruhl.

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The Director of Health and Human Services summarized some of the Department's contractual arrangements with existing counties so the County doesn't have a duplication of services. These arrangements include Placer County for Mental Health programs; Plumas County for the Ryan White program, CUPA and dietitian services; and a reciprocal agreement with the Nevada County Health Officer.

5. FOREST SERVICE UPDATE

North Yuba District Ranger Karen Hayden briefly reported on various matters going on in the District including a report on the Packer Lake Fish Day; the Downieville Downhill; the vacant Forest Service house located at Indian Valley which has been renovated and now has people living in it as barracks; and they have been busy with approximately 29 fires on the forest.

Supervisor Adams indicated that he spoke with Ranger Hayden regarding a letter dated July 8th pertaining to the Mexican Mine Trail Project and Ranger Hayden informed him that although all of the scoping was done in Nevada County, there was publication done in the Mountain Messenger.

6. INFORMATION SYSTEMS MANAGER - Laura A. Marshall

6.A. Discussion/direction to staff regarding use of social media pages by County offices.

The IS Manager introduced the item noting the County does have cyber security running on the network, so she feels we have the security in place in the event the Board authorizes the use of social media. The IS Manager also explained the cost attached to the item is for a company called Social Archive and would protect the County from any potential litigation holds in the future.

In response to Supervisor Roen, the IS Manager explained this is an informational page only and a one sided conversation; there would be no comment ability from the public. If the Board approves this she would suggest approving a policy making this a requirement.

In response to Supervisor Adams' inquiry, the IS Manager clarified the cost is \$199 per month for all offices.

Supervisor Adams indicated in reviewing this item he searched Facebook and found that the Nevada County Sheriff does not have a presence, Placer County has one for sending out positive stories, Yuba County does not, Plumas County does not, Washoe County has a presence for feel good stories and wanted posters, and Lassen County does not have a presence.

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Supervisor Adams added that he realizes this is a relatively small price, but he doesn't understand why a County of 3000 people needs to go into this arena. The County purchased Code Red to get information out to the public and anyone can sign up for this. Supervisor Adams reiterated he doesn't understand why we are going down this road when four of our neighboring counties are not doing this.

The Sheriff noted at the last Board meeting he distributed a copy of the Sheriff's office social media policy which conforms to Lexipol's scrutiny and guidelines. The Sheriff added that 71% of the people who have internet access have Facebook. Some of the things that would be initiated w/ the Facebook page include search and rescue events, wanted persons, missing children/adults, lost pets, etc.

The Sheriff continued to note that it's not uncommon for people to drop off dogs to the substation or the Sheriff's office and it would be nice to take a picture of these animals and put it on Facebook. This would also be worthwhile for road closures, construction, natural disasters, inform the community of safety tips, gun law programs, boating and waterways safety, community awareness days, etc.

The Sheriff further addressed Supervisor Adams' comments regarding entities without Facebook pages, noting CHP and the Nevada City Police Department have Facebook pages. The Sheriff continued to review in detail the Facebook pages from various agencies.

Supervisor Adams questioned how much staff time is going into this.

The Sheriff responded that he was relaying that there are many more entities using this in positive fashion. He also questioned if there is a need to have an archive system in place if they are only allowing posting by the agency and no comments from the public.

Assistant County Counsel indicated she believes it's still a good idea to have the ability to archive as assurance in the event someone claims they relied on information for some reason we can prove what was published.

Supervisor Schlefstein noted he supports everything the Sheriff has stated and he is 100% in favor of this.

The Board moved to approve the use of social media pages by County offices.

Supervisor Adams indicated he is not necessarily going to be against this forever, however he would like to vet the public records request issue a little more. Again, he realizes some agencies use this and some don't. He also agrees this is a small community and this gets information out to people fast. However, he does worry about who is going to be vetting this, how much time is going to be spent on this, etc.

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Supervisor Roen indicated he wanted to know this was an informational page only as it wasn't clear at the last meeting.

Assistant County Counsel clarified that the open discussion on the site definitely opens the County up to liability, however by having an informational page only the liability is limited.

Supervisor Adams explained he would be inclined to vote in favor of this to see how this goes for a period of time.

Supervisor Roen clarified the Community Corrections Partnership is committed to fund this for the short term.

Following further discussion, Supervisor Adams suggested allowing the Sheriff to do this and any other department will need to come before the Board to explain their reasoning why they need to do it.

Mr. Bryan Davey, Transportation Planner requested adding the County announcements to the Facebook page.

The IS Manager responded that she is the County's volunteer Webmaster, IS Manager, and Solid Waste Administrator and she would prefer not to be involved in Facebook. The IS Manager added that there are over 100 people already subscribing to the announcements on the County website.

Following discussion, the maker amended the motion to authorize the Sheriff's office to use social media limited to information only, no public comment.

APPROVED. Motion: Schlefstein/Beard/Unanimous Roll Call Vote: 5/0

7. PUBLIC WORKS / TRANSPORTATION - Tim Beals

7.A. Resolution approving purchase order for 3 speed feedback sign systems.

Following a brief introduction by the Director of Transportation, it was clarified that these signs will be located at both ends of Highway 49 in Downieville.

The Board moved to adopt the resolution approving purchase order for 3 speed feedback sign systems.

ADOPTED, Resolution 2015-082. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

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- 7.B. Resolution approving revised Exhibit A to Agreement 2014-084, Landscape Maintenance Agreement within State Highway Right of Way on Route 49 within the County of Sierra, in order to accommodate 3 additional speed feedback signs which have been funded by the Sierra County Transportation Commission.

The Board moved to adopt the resolution approving revised Exhibit A to Agreement 2014-084, Landscape Maintenance Agreement within State Highway Right of Way on Route 49 within the County of Sierra, in order to accommodate 3 additional speed feedback signs which have been funded by the Sierra County Transportation Commission.

ADOPTED, Resolution 2015-083. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

- 7.C. Discussion and direction on preparation of draft special event policy for the county.

The Director of Public Works explained this is a request to approve spending time developing a draft policy as he is finding they are spending an enormous amount of time on public events. The Director added he believes there is some uniformity and consistency that needs to be applied to a system of encroachment permits used over the years which is really an improper use of an encroachment permit. The County also has a 1970's ordinance that requires the Sheriff's office to issue special event permits for rock music and festivals. The Director added he would like to gather those who are most involved in this and outline the substance of what the policy should be or if the Board wishes, refer this to a committee.

Supervisor Adams indicated that Ms. Simi and Mr. Galan might be interested in helping with this endeavor and he would suggest if a committee is formed to solicit folks in the community to at least vet the policy prior to it coming back before the Board. He would also hope we can solicit policies from other entities.

Supervisor Roen concurred with Supervisor Adams' statements, noting he believes it is key to engage the community in this process.

The Director suggested if the Board is going to create an ad hoc committee to defer this to a future meeting in order to have some idea how to structure the committee.

Chair Beard suggested directing this to staff and involve the community members.

By consensus, the Board approved this in concept and directed staff to bring back some ideas on how this should be best handled.

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The Director clarified that he would bring back an approach for the Board to review and ultimately approve so there is assurance there will be community members involved.

11. TIMED ITEMS

11.A. 10:00AM SIERRA NEVADA REGIONAL DEPARTMENT OF CHILD SUPPORT SERVICES

Presentation by Mr. Tex Ritter, Director, Sierra Nevada Regional Department of Child Support Services on the benefits of child support. (CLERK OF THE BOARD)

Mr. Tex Ritter introduced himself noting he is the Child Support Services Director for Sierra County and this is a free service to Sierra County. Mr. Ritter further distributed and reviewed a handout on the benefits of child support.

11.A.i. Resolution proclaiming August 2015 as "Child Support Awareness Month" for Sierra County.

The Board moved to adopt the resolution proclaiming August 2015 as "Child Support Awareness Month" for Sierra County.

ADOPTED, Resolution 2015-084. Motion: Schlefstein/Huebner/Unanimous Roll Call Vote: 5/0

9. BOARD OF SUPERVISORS

9.A. Discussion/action regarding the Board of Supervisors membership on the Community Corrections Partnership (CCP). (CLERK OF THE BOARD)

Supervisor Schlefstein explained this is one of his favorite committees, however he is having a hard time with their scheduling and making it to these meetings. He thought it would be good to have a discussion about having another Board member take this on and he could possibly serve as the alternate.

Supervisor Adams noted he would be willing to be the alternate or the primary member.

Following further discussion, Supervisor Adams indicated he would attend if the Supervisors Schlefstein or Roen cannot attend.

9.B. Discussion/direction regarding Sierra County's participation in the Sierra Economic Development Corporation (SEDCorp) and Sierra Planning Organization (SPO) Joint Powers Agency (JPA). (CLERK OF THE BOARD)

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Chair Beard provided brief background on the item and suggested authorizing County Counsel or Assistant County Counsel to attend the next meeting of the Sierra Planning Organization (SPO) the first Wednesday in September to engage in discussion regarding the SPO joint powers agreement.

Assistant County Counsel explained that following Nevada County's determination to leave the JPA, Nevada County discovered they might lose some grant funding that had to be done through the JPA.

Chair Beard continued to express concerns with SEDCorp focusing all of their efforts in Nevada and El Dorado County. Chair Beard added that he spoke to a Supervisor in Nevada County regarding the grant funding who indicated that if you are a member of an economic development group you receive additional points for the grant applications. However, the Director of Planning has indicated he has never seen a grant application come through Sierra County that requires this.

Following brief discussion and by Consensus, the Board authorized County Counsel to attend the next meeting of SEDCorp and the Sierra Planning Organization.

10. COUNTY COUNSEL - James A. Curtis

- 10.A. Introduction and first reading of an ordinance amending Section 2.04.070 and 2.04.100 of the Sierra County Code pertaining to compensation for County Supervisors.

Supervisor Huebner introduced the item explaining it is never a good time for the Board of Supervisors to request a raise in salaries or benefits. The last raise the Board received was in March of 2006. In 2015 he discovered the Board of Supervisors are the only employees receiving a cost of living increase for only the first two five year marks.

Chair Beard clarified that this is not a raise, rather it is a request for replacement for things that were lost.

Supervisor Adams questioned if this action puts the Board on par with the action that was taken for all County employees.

The Auditor responded that is correct.

The Board moved to waive the first reading of an ordinance an ordinance amending Section 2.04.070 and 2.04.100 of the Sierra County Code pertaining to compensation for County Supervisors.

APPROVED. Motion: Huebner/Schlefstein/Unanimous Roll Call Vote: 5/0

8. OFFICE OF EMERGENCY SERVICES (OES) -Tim Beals

- 8.A. Resolution approving expenditures of the Fiscal Year 2014 Homeland Security Grant Program.

The Director of OES provided brief background, noting this item represents recommendations made by the Operational Area Emergency Council and will fulfill the expenditure of the 2013/14 Homeland Security Grant, a total of \$78,246.

In response to Supervisor Roen's inquiry regarding the proposed purchase of defibrillators, the Director clarified these are the defibrillators that go into the Sheriff's vehicles.

Supervisor Adams noted an "s" should be added to the word defibrillator within the proposed resolution and the adoption date of the resolution needs to be corrected to August 4, 2015.

The Board moved to adopt the resolution approving expenditures of the Fiscal Year 2014 Homeland Security Grant Program as amended.

ADOPTED as amended, Resolution 2015-085. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 10.B. Amendment to Agreement No. 07-130 between the County of Sierra and Shaw Valenza LLP, for use of law firm for personnel issues, updating the term of the Agreement.

Following brief discussion, the Board moved to approve the amendment to Agreement No. 07-130 between the County of Sierra and Shaw Valenza LLP, for use of law firm for personnel issues, updating the term of the Agreement.

APPROVED, Agreement 2015-086. Adams/Roen/Unanimous Roll Call Vote: 5/0

13. CORRESPONDENCE LOG

- 13.A. Sierra County Treasurer-Tax Collector's notice to taxing agencies and revenue districts of a public auction of tax-default properties.

No action taken.

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- 13.B. Letter from Smith & Newell, Certified Public Accountants informing the Board of Supervisors of management's responsibilities in the finance audit of the County.

No action taken.

- 13.C. Letter from Kathleen Howard Board of State and Community Corrections (BSCC) regarding the Budget Act of 2015 (Fiscal Year 2015/2016) for the Community Recidivism Reduction Grants.

No action taken.

ADJOURN

At 10:41 a.m., with no further business, Chair Beard adjourned the meeting.

JIM BEARD, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD